

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of:	)	
	)	
Federal-State Joint Board on	)	CC Docket No. 96-45
Universal Service	)	
	)	DA 05-3252
Petition by	)	
Midwest Wireless Iowa, L.L.C.	)	

**COMMENTS OF THE IOWA UTILITIES BOARD**

**Introduction**

On December 12, 2005, Midwest Wireless Iowa, L.L.C., (“Midwest”) filed a petition before the Federal Communications Commission (“Commission”) pursuant to section 54.207 of the Commission’s rules, requesting the Commission’s concurrence with prior decisions of the Iowa Utilities Board (“Board”) regarding the redefinition of service areas for: C-M-L Tel. Cooperative Association of Meriden, Iowa; COLO Telephone Company; Ellsworth Cooperative Telephone Association; Farmers Mutual Cooperative Telephone Company; Farmers Mutual Telephone Company; Frontier Communications of Iowa, Inc.; Heartland Telecommunications Company of Iowa; Iowa Telecomm Services d/b/a Iowa Telecom; Iowa Telecomm Services d/b/a Iowa Telecom-North; Iowa Telecomm Services d/b/a Iowa Telecom-Systems; Kalona Cooperative Telephone Company; La Porte City Telephone Company; Minerva Valley Telephone Company, Inc.; Northern Iowa Telephone Company; Peoples Telephone Company; South Slope Cooperative Telephone Company, Inc. and West Iowa Telephone Company.

On December 21, 2005, the Commission issued a public notice seeking comment on the aforementioned petition.

### Discussion

The Midwest petition appropriately contends that the Board's rules<sup>1</sup> are substantially consistent with the Commission rules and the competitively neutral universal service policies embedded in the Act. The Board believes its rules adequately address creamskimming concerns and reflect a well-reasoned administrative procedure that is specific to the unique requirements and characteristics of Iowa.<sup>2</sup>

Overall, the Board stands behind its rules regarding redefinition procedures. The Board supports Midwests' request for Commission concurrence regarding the redefinition of the service areas of the aforementioned carriers.

January 5, 2006

Respectfully submitted,

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\_\_\_\_\_/s/\_\_\_\_\_  
John Ridgway  
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\_\_\_\_\_/s/\_\_\_\_\_  
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<sup>1</sup> Iowa Administrative Code, 199 IAC 39.2(5)(c).

<sup>2</sup> Iowa is an agricultural state with more than 150 rural incumbent local exchange providers that predominantly serve small communities and rural areas. With consideration to the large number of rural ILECs and the administrative issues that would arise from conducting a separate redefinition proceeding for every new wireless ETC applicant, Iowa decided to craft rules that establish a safe harbor to process the uncontested ETC applications. This petition involves such uncontested ETC applications.